



# FLORIDA WILDLIFE FEDERATION

*Affiliated With National Wildlife Federation*

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August 15, 2002

Mr. Julio Fanjul  
Lead Planner  
South Florida Water Management District  
PO Box 26480  
West Palm Beach, FL 33416-4680

Dear Mr. Fanjul,

The Florida Wildlife Federation concurs with the points in the attached document made by our board member, Mr. Jack Moller, concerning water reservations for the natural ecosystems and their regulation in south Florida.

We urge you to include these concerns in developing District policy concerning water reservations.

Sincerely,

Manley K. Fuller, III  
President

MFK/pp

Attachment

## ATTACHMENT

### RESERVATIONS OF WATER FOR THE ENVIRONMENT AND ASSURANCES FOR EXISTING LEGAL SOURCES CONSISTENT WITH THE FEDERAL AND STATE LAW

To: Julio Fanjul, SFWMD

From: L. Jack Moller, Water Resource Advisory Commissioner

The following are my thoughts, concerns and request for change on the above document. Please share these with appropriate staff so we can be given public responses at the next WRAC meeting, July 16. It would be good if staff could send me their thoughts and positions or corrections before this meeting.

Page 7 line 25; 'existing legal users' Is the natural system as well as the built system considered a legal user?

Page 7 line 28; 'the needs' does 'needs' include flood, flood being water that harms the uplands, hardwoods and willows of the Everglades including Everglades National Park, the WCAs, Big Cypress National Preserve, Ray Rottenberger and Holey Lands. For future reference when I say Everglades these are the areas I am speaking of.

Page 7 line 33; 'PIR' do all CERP projects require NEPA and PIRs to be completed before funding or only before the project's physical work can begin?

Page 8 line 43 and 44; 'These permitted users and domestic water users', what is the difference? Do both require a CUP?

Page 9 line 5; 'use permit applications', can someone or group apply for a CUP for the natural system or a part of the natural system?

Page 9 line 19; 'also proceeding' What about Ray Rottenberger and Holey Lands? Where are their MFLs.

Page 14 line 39; 'historic operational', what year does history begin?

Page 15 line 17, '6) protection of fish and wildlife', Where and who's fish and wildlife, Federal, State or Tribal?

Page 15 line 30, '2) groundwater from Biscayne aquifer; 3) surface water and groundwater seepage from the Water Conservation Areas;', Since the Biscayne aquifer is a surficial aquifer and a sole source aquifer and starts at the northern end of Water Conservation Area 3 are these, 2 and 3, not the same? If not why not? Basically aren't 2 and 3 the same water?

Page 14 line 39; 'historic operational', what years does history begin?

Page 15 line 17; '6) protection of fish and wildlife, Where and who's- see the earlier comment.

Page 15 line 30, '2) groundwater from Biscayne aquifer; 3) surface water and groundwater seepage from the Water Conservation Areas;', see earlier comments, I have the same concern here. Please explain?

Page 16 chart; It is my understanding that the Big Cypress National Preserve gets a considerable amount of water from the WCAs, via seepage under the L-28 and if this canal/levee were not in place the water would have naturally moved into the Preserve. Further water released from the WCAs to the south enter the Preserve south of US 41. Thus why is the Preserve isolated from the WCAs as source of dependence. Conversely when the WCAs are flooded and harmed so is the eastern part of the Preserve.

Also Ray Rotenberger is being rehydrated by an STA thus why is this water leaving this STA not being considered as a legal source 'existing' source of water as the STA is currently providing water to these naturally lands.

Page 19 line 3, 'RWA', where is the map showing these units? Are there transfers between RWA's? If so where is this found, which ones, how much per RWA? What are the reasons or causes for such an action?

Page 21 line 14; 'rainfall driven schedule', please define in clear terms that are measurable and definable? This has been a long standing issue with many.

Page 21 line 15; 'protection of fish, wildlife and vegetation, again who's, see earlier comments?

Page 22 line 28; 'would be judged' change to 'shall be judged.'

Page 22 line 31; 'operational rules should' change to 'shall'.

Page 22 line 33; 'rainfall conditions should' change to 'shall'.

Page 23 line 24; 'the rule should' change to the 'rule shall'.

Page 23 line 38; 'rule should' change to the 'rule shall'.

Page 23 line 43, 44, 45, 46; this statement implies the C-44 connector has been built or will be built. The statement further points out why this canal should not be built. That is because when the Indian River Lagoon does not need this water neither will Lake Okeechobee or the WCAs. As we all know when it rains in South Florida it rains all over South Florida and not merely in one sub-basin. Additionally, such a canal continues to make the Lake a reservoir for off site water drainage and storage. Further if water can be moved into the Lake via this new connector then water can be removed thereby causing a drain on the Lake when it needs water. This removal of water will be to supply water to the area drained by the connector and returning the water to the area that sent it to the Lake. Water should be held nearest to the location it falls.

Page 24; A general question about Reservations develops on page 24. Once a reservation is established can it be changed, how, by whom, and why?

Figure 3 Proposed Existing Legal Source Basins; I do not find any Collier or Lee basins on the chart except the Big Cypress. Further the figure leads the uniformed to think all the basins are separate and distinct basins with no enter play between them. We all know this is far from the case and the figure should be changed to show this cross over of water. It should also be changed to show the Picayune, Belle Meade, Fakahatchee, CREW, Camp Keys, Estro Bay drainage basin and all others. In more than one of these basins CERP money is going into them so we should not leave them out.

Page 32 lines 30 through 35; While Ray Rotenberger and Holey Lands are implied in the terms presented they should be listed because of their history and the many attempts by some interest to use as reservoirs and not as natural lands.

Page 36 lines 4 through 12; It is stated that 'Not later than 2 years after the date....' What happens if this date is not adhered to? In the next section there is a default clause. There should be one in this section of concern. No suggestions but open to them.

Page 42 lines 15 and 16; again items 2 and 3 are the same unless someone can convince me they are not; WCA water is Biscayne aquifer water.

Page 43 line 1, 'historic' what is the date for historic to start?

Line 6 chart Existing (2000) Condition - pre-CERP Baseline Assumptions. Why is Holey Lands not listed in the topography section? If none was done why not? It is listed in the Natural Area Land Cover (Vegetation) section.

Page 45, Western Basins and Big Cypress National Preserve; Why is there nothing listed by these units, where is the information on them, they are being worked on at this very moment?

These are my beginning concerns, suggestions and recommendations.

Thanks